

REMARKS

The applicant has carefully considered the official action mailed on July 31, 2008, and the reference cited therein. In the official action, claims 1-24 were rejected as anticipated by Komuro et al. (US 5,191,536). Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks.

By way of the foregoing amendments, claims 1, 8, and 15 have been amended, and claims 25-30 have been added. Thus, claims 1-30 are pending in this application. Support for the foregoing amendments may be found in the originally filed application at least at pages 7, 8, and page 17, paragraph 46 to page 18, paragraph 47. Additionally, description relating to the generation of embroidery data for images containing an object having a distinct area entirely surrounded by an inside edge of the object (e.g., a hole or closed interior contour) may be found at least at page 26, paragraph 70 and FIGS. 3, 7, 14 and 16, which depict objects (e.g., letters) having such distinct areas and for which embroidery data may be generated using the described methods and apparatus. Accordingly, no new matter has been added by the foregoing amendments.

As an initial matter, the applicant wishes to thank Examiner Durham for the productive phone interviews conducted with the undersigned attorney on December 17 and 19, 2008. During the interviews, the undersigned attorney discussed the foregoing amended claim language with the examiner. The examiner indicated that such claim language would overcome the Komuro reference.

Independent claim 1 recites a method of generating embroidery data from image data involving identifying an object from the image data, wherein the object corresponds to a contiguous portion of an image defined by the image data, and

wherein the object defines an area to be embroidered and an area distinct from the object and entirely surrounded by an inside edge of the object. Additionally, the method involves automatically identifying a singular region within the object, and generating occluded boundary information associated with the singular region, wherein the occluded boundary information represents a merging of at least two regular regions of the object into a single continuous area to be embroidered. Komuro does not describe or suggest the generation of embroidery data as recited in claim 1.

Thus, because Komuro fails to disclose each and every limitation recited in claim 1, this claim is not anticipated thereby. Accordingly, the applicant respectfully submits that independent claim 1 and claims 2-7, 22, 25 and 26 dependent thereon are in condition for allowance.

The applicant respectfully submits that the remaining claims 8-21, 23, 24, and 27-30 are also allowable for at least the reasons set forth above in connection with independent claim 1.

Thus, for at least the foregoing reasons, the applicant respectfully submits that all pending claims are now in condition for allowance. If there are any remaining issues in this application, the applicant urges the examiner to contact the undersigned attorney at the number listed below.

The Commissioner is authorized to charge any deficiency in the attached fees toward payment of any fee due for the filing of this paper to deposit account number 50-2455.

Respectfully submitted,

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